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PLEASE REPLY TO: NEW YORK

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May 6, 2019

VIA ECF

Hon. Sarah Netburn
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Doe v. Kogut*
15-cv-7726 (JMF)(SN)

Dear Judge Netburn:

As your are aware, I had planned to file a Motion today to compel Defendant Kogut to pay the \$10,000 settlement consideration which he has yet failed to do since the Mandate issued from the Second Circuit.

I regret to inform the Court that events have transpired through the weekend and today which have precluded my filing a formal styled motion. Further, these same events have made it abundantly clear that I can no longer represent the Plaintiff in any manner in the few proceedings which remain to be completed in this case (which has been closed for some time).

As to the Motion, I ask the Court to consider this short-form letter as the Motion to Enforce Settlement. Kogut has no proven defenses to the demand by Plaintiff for enforcement/performance of the settlement agreement. The Court has recently upheld the terms of the record settlement agreement in its most recent Orders.

Alternatively, I ask that Plaintiff be granted 45 days to hire her new attorney and to have them refile any request for enforcement of the settlement agreement.

Last, as discussed on Friday, May 3, 2019, my services have terminated, however, Plaintiff fails to understand the limited scope of my duties and that it is in her best interests to engage new counsel to process certain claims with which I irreconcilably disagree or which both my current practice and my old retainer agreement do not support. As preliminarily granted by the Court on May 3rd, I ask the Court to so-order use of an email repository with Chambers or to issue a sealing Order for my filed documents which may discuss my interactions with the Plaintiff. In that manner, the Court may review the questions presented without the *pro se* defendant gaining advantage by disclosure of otherwise privileged communications.

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Thank you for your consideration of the issues presented.

Very truly yours,
VERNER SIMON

A handwritten signature in black ink, appearing to read 'Paul Verner', with a large, sweeping initial 'P'.

Paul Verner

cc: Steven Kogut (By Email and Mail)